

9m

Notice of Allowability	Application No.	Applicant(s)	
	09/973,808	TOMIYAMA ET AL.	
	Examiner	Art Unit	
	Renata McCloud	2837	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to 02/25/2004.
2. The allowed claim(s) is/are 1-9.
3. The drawings filed on 12 October 2001 are accepted by the Examiner.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some* c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)
2. <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)
3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____
7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment
8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance
9. <input type="checkbox"/> Other _____ |
|--|--|

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Claim 1: In line one of claim 1, delete the semicolon ";" and add a colon ":".

Claim 2: In line one of claim 2, delete the semicolon ";" and add a colon ":".

Claim 3: In line two of claim 3, delete the semicolon ";" and add a colon ":".

Claim 4: In line two of claim 4, delete the semicolon ";" and add a colon ":".

Claim 5: In line two of claim 5, delete the semicolon ";" and add a colon ":".

Claim 8: In line two of claim 8, delete the semicolon ";" and add a colon ":".

Response to Arguments

2. Applicant's arguments, filed 25 February 2004, with respect to the rejection(s) of claim(s) 1-9 have been fully considered and are persuasive.

Allowable Subject Matter

3. Claims 1-9 are allowed. The following is an examiner's statement of reasons for allowance:

Claims 1 and 5: The prior art fails to teach a speaker damper comprising a primary damper formed on an auxiliary damper or a laminate film, wherein the laminate film is between the auxiliary damper and the primary damper.

Claims 2 and 8: The prior art fails to teach a damper for a speaker comprising a coating agent between an auxiliary damper and the primary damper.

Claims 3 and 4: The prior art fails to teach a damper for a speaker comprising an auxiliary damper comprised of a plurality of sheets.

Claims 6,7, and 9: The claims depend from the above-mentioned allowable claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Renata McCloud whose telephone number is (571) 272-2069. The examiner can normally be reached on Mon.- Fri. from 8 am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Nappi can be reached on (571) 272-2800 ext. 37. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Renata McCloud
Examiner
Art Unit 2837

RDM



ROBERT NAPPI
SUPERVISORY PATENT EXAMINER